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**FACSIMILE TRANSMITTAL**

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**TO:**

**Name:** Mail Stop AMENDMENT  
Group Art Unit 3738/Examiner David Willse

**Firm:** U.S. Patent & Trademark Office

**Fax No.:** 571-273-8300

**Subject:** U.S. Patent Application No. 10/674,971

Gary K. Michelson

Filed: September 30, 2003

**METHOD FOR INSERTING AN INTERBODY**

**SPINAL FUSION IMPLANT HAVING AN**

**ANATOMICALLY CONFORMED TRAILING END**

Attorney Docket No. 101.0059-02000

Customer No. 22882

Confirmation No.: 4939

**FROM:**

**Name:** Amedeo F. Ferraro

**Phone No.:** 310-286-9800

**No. of Pages (including this):** 18

**Date:** December 7, 2006

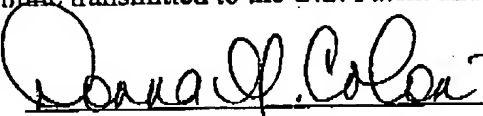
**Confirmation Copy to Follow:** NO

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**Message:**

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; \$1,330.00 total amount to cover the \$1,020 three-month extension fee, \$130 Terminal Disclaimer fee, and \$180 IDS fee is to be charged to Deposit Account No. 50-3726), Amendment, Terminal Disclaimer, and Information Disclosure Statement with Form PTO-1449 are being facsimile transmitted to the U.S. Patent and Trademark Office on December 7, 2006.

  
Donna M. Colon

12/11/2006 FNETEK11 00000001 503726 10674971

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FORM PTO-1083

Attorney Docket No.: 101.0059-02000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 10/674,971

Filed: September 30, 2003

For: METHOD FOR INSERTING AN INTERBODY  
SPINAL FUSION IMPLANT HAVING AN  
ANATOMICALLY CONFORMED TRAILING END

Confirmation No.: 4939

Art Unit: 3738

Examiner: David Willse

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Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in reply to the Office Action dated June 7, 2006 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three-month extension of time to respond to the above office action.
- ☒ A Terminal Disclaimer is enclosed.
- ☒ An Information Disclosure Statement Under 37 C.F.R. § 1.97(c) with Form PTO-1449 is enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	29	49	0	LG=\$50 SM=\$25	\$ 0
INDEPENDENT CLAIMS FEE	2	4	0	LG=\$200 SM=\$100	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS				LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$180	\$ 0
				TOTAL	\$ 0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ The total amount of \$1,330.00 to cover the \$1,020 three-month extension of time fee, \$130 Terminal Disclaimer fee, and \$180 IDS fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLPBy: Amedeo F. Ferraro  
Registration No. 37.129

Date: December 7, 2006

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PATENT  
Attorney Docket No. 101.0059-02000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:	)	Confirmation No.: 4939
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Serial No.: 10/674,971	)	Group Art Unit: 3738
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For: METHOD FOR INSERTING AN	)	
INTERBODY SPINAL FUSION	)	
IMPLANT HAVING AN	)	
ANATOMICALLY CONFORMED	)	
TRAILING END	)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

In reply to the Office Action dated June 7, 2006, the period for reply having been extended for three (3) months by a request for extension and fee payment filed concurrently herewith, please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 7 of this paper.

Amendment 12-7-06.doc